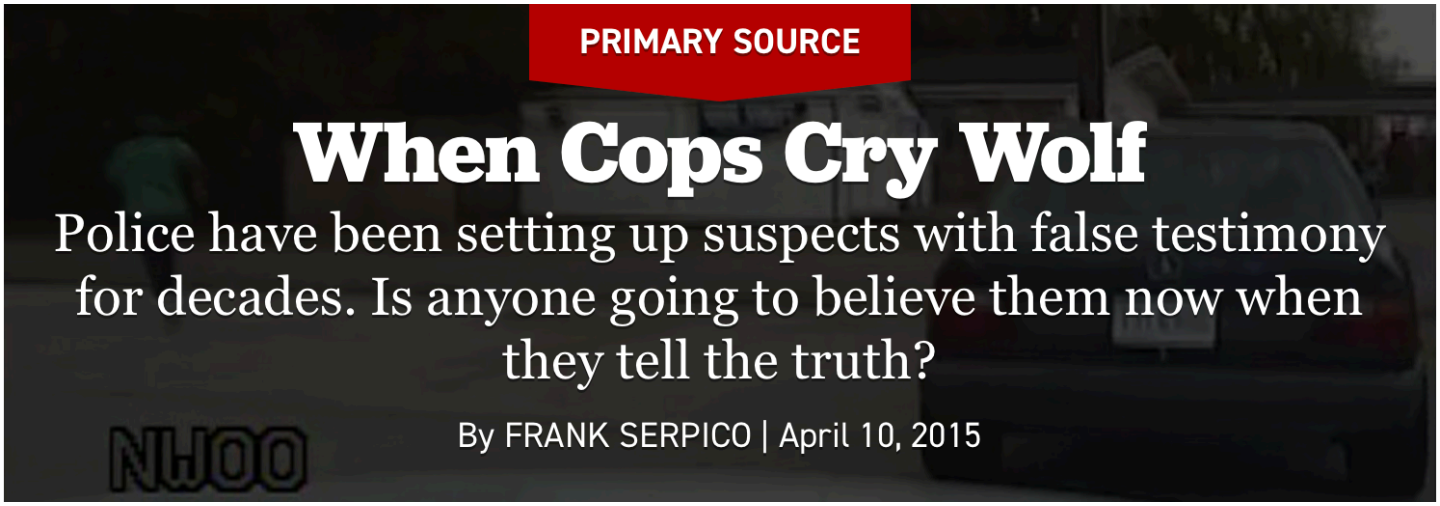

PRIMARY SOURCE
When Cops Cry Wolf
Police have been setting up suspects with false testimony for decades. Is anyone going to believe them now when they tell the truth?
By FRANK SERPICO | April 10, 2015

Frank Serpico is a former New York City police detective on whose life the Movie Serpico *was based.*

I call it "testi-lying." It has been a regular practice in police forces across the United States, at least since I served on the NYPD: official testimony that is made part of a police after-action report but is a pure lie, an invention. In the old days police would carry a "drop gun" or a "drop knife"—an inexpensive weapon cops would bring along on patrol to drop onto or next to a suspect they had taken out so they could say he had threatened them. Today you don't even need to do that; all you have to do to justify the use of deadly force if you are a police officer is to say that you feared for your life, for whatever reason. If the victim dies, that just means there will be one less witness around to contradict the testi-lie.

In the case of former Officer Michael Slager of the North Charleston police, it appears he was being extra-careful to cover his tracks. Probably he could have gotten away with simply declaring, as he did in his radioed report, that Walter Scott "took my Taser," and in the after-action report he would have said simply that he had felt threatened by Scott. That probably would have sufficed to exonerate him. But Slager, having shot Scott eight times in the back—as everyone can plainly see in the now-famous video—perhaps felt that he needed a little help explaining what he was up to. So he apparently dropped his Taser next to Scott's body, which would obviously help to make the case that Scott "took my Taser."

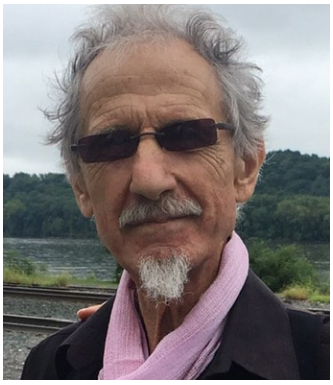
If you think that what happened in North Charleston is a unique case, it is not. Only recently, in another case, a policewoman in Pennsylvania first Tasered a black man, then shot him twice in the back as he lay face down in the snow. She was chasing him for an expired parking sticker. There were five seconds between shots. She said she feared for her life. It was captured on her own Taser camera.

I've been saying this for a long time, ever since I spoke before the Knapp Commission investigating corruption in the NYPD more than 40 years ago: Unless we create an atmosphere where the crooked cop fears the honest cop, and not the other way around, the system will never change. Unless honesty is rewarded more often than corruption, the police will lose credibility altogether. I wrote a letter to President Bill Clinton in 1994 addressing this very issue, saying that honest cops have never been rewarded, and maybe there ought to be a medal for them. He wrote back, but nothing changed.

Now, in the era of citizen videotaping, police credibility is at stake as never before. If enough testilying is uncovered, then who is going to believe the police even when they are telling the truth? They will be seen as crying wolf.

Until now, the shoot-first-in-fear-of-my-life mantra has eliminated any cause for concern in the taking of life by police. When a civilian commits a crime, every nuance is looked at, the better to "throw the book at" the suspect. When cops err, it is the opposite reaction. Eyes are averted, aggravating circumstances are ignored. And now the public is learning about this every time a new videotape emerges that undermines the official police story.

There is only one solution: The good cops really have to step up, and the system needs to reward them, rather than punish them. The other day I got a letter from a journalist in Argentina who was complaining about police and judicial corruption there. I wrote back to him, there are good cops, even where you live, but if the good cops don't want to be painted with the same brush as the bad cops, they need to come forward and expose the guys who are doing bad things.



Frank Serpico

Instead, you habitually get police union representatives defending these police officers no matter what they do. Take the New York City detective who was caught on camera the other week abusing an Uber driver with threats and foul language. This was truly disgusting behavior. Yet predictably enough the detective union leader, Michael Palladino, was out there making excuses for him, suggesting that, well, it was only one incident, and everyone has a bad day. "Cops are just like everyone else," he said. The detective "is a person of good character.... He really should not be judged by one isolated incident." What Palladino overlooked was there there were numerous other incidents in that officer's file that were not caught on tape.

What should the public believe when every time the police close ranks like that? Afterward Police Commissioner William Bratton announced he was removing the detective's shield and placing him temporarily on desk duty while an investigation is conducted. But this man needs to be demoted to uniform at the very least, or "back in the bag," as we used to say. Imagine what he's capable of doing under cover of darkness if he can talk to someone like that in broad daylight. But will anyone follow up to see if that happens?

It's important to make the point that we shouldn't make cops feel that as a whole they're under attack. There are plenty of legitimate incidents where police believe, correctly, that their lives are in danger. I was in a few of those situations myself during the course of my career.

But unless the police forces and society as a whole take action we're not going to be able to distinguish between the legitimate claims and the made-up testimony. And this is not just police phenomenon; the law itself needs to be changed so that when a police officer shoots a suspect in the line of duty, a real investigation is conducted, and by an outside, impartial body.

If these changes are not made, the age of citizen videotaping could begin to alter forever our society's view of the police officers who protect us. A long time ago Norman Rockwell painted a famous picture of a friendly neighborhood cop bending down to help a little boy. How much longer will Americans cling to that image, in the face of images of the kind we saw in North Charleston?

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